UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,554	12/29/1999	KENNETH MCCLAMROCH	RSW9-99-119	1113

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EXAMINER
NGUYEN, CINDY

ART UNIT	PAPER NUMBER
2171	

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
Office Action Summary	09/473,554	MCCLAMROCH ET AL.
	Examiner	**Art Unit**
	Cindy Nguyen	2171

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 August 2003_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-17_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-17_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _29 December 1999_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☒ The proposed drawing correction filed on _16 August 2002_ is: a)☒ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _4_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

This is in response to request for communication filed 08/27/03.

Applicant's arguments filed 08/27/03, with respect to the rejection(s) of claim(s) 1 and 7

have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of U.S patent

6493703 of Knight et al. The office regrets any inconvenienced this latent rejection may have

caused.

1.   *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before

the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the

requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for

patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

2.   **Claims 1-3, 7-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Knight**

et al. (U.S 6493703) (Knight).

Regarding claims 1 and 7, Knight discloses: A computer-implemented method for

indexing and locating assets stored on a storage device, comprising the steps of:

performing a crawl process on said storage device to identify stored assets (col. 21, lines

36-62, Knight);

identifying asset-specific parameters related to said stored assets (col. 22, lines 40-64,

Knight);

analyzing said stored assets based on said identified asset-specific parameters (col. 24,

lines 33-46, Knight);

extracting textual, semantic information from said stored assets (col. 21, lines 9-33,

Knight).

storing and indexing said extracted textual and semantic information for retrieval

parameters (col. 21, lines 63 to col. 22, lines 65, Knight);

Regarding claim 2, all the limitations of this claim have been noted in the rejection of

claim 1. In addition, Knight discloses: wherein said stored assets comprise assets of diverse

types, and wherein said identifying step identifies the asset type of each stored asset (col. 24,

lines 47-63, Knight).

Regarding claim 3, all the limitations of this claim have been noted in the rejection of claim 2. In addition, Knight discloses: wherein said extracting step includes the extraction of semantic information specific to the asset type of each stored asset" (col. 27, lines 7-63, Knight).

Regarding claim 8, all the limitations of this claim have been noted in the rejection of claim 7. In addition, Knight discloses: locating means for locating stored assets by applying a search query to said semantic information stored in said storing and indexing means" (col. 10, lines 40-54, Knight).

Regarding claim 9, all the limitations of this claim have been noted in the rejection of claim 8. In addition, Knight discloses: wherein said locating means includes means for applying a search query to said textual information stored in said storing and indexing means" (col. 10, lines 40-54, Knight).

Regarding claim 10, all the limitations of this claim have been noted in the rejection of claim 9. In addition, Knight discloses: wherein said locating means includes means for applying a search query to both said semantic information and said textual information simultaneously (col. 10, lines 40-54, Knight).

Regarding claim 11, all the limitations of this claim have been noted in the rejection of claims 2 and 7. In addition, Knight discloses: wherein said analyzing means comprises an analysis server (430, fig. 4, Knight) connected between said crawling means (search robot in fig.

4, Knight), and said storing and indexing (260, fig. 2, Knight) means said analysis server

including one or more asset-type specific servers (220, fig. 2, Knight), with at least one of said

asset types having a corresponding asset-type specific analyzer (col. 27, lines 25-63, Knight).

Regarding claim 12, all the limitations of this claim have been noted in the rejection of

claim 11. In addition, Knight discloses: wherein a plurality of said asset types have a

corresponding asset-type specific analyzer (col. 22, lines 30-65, Knight).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of

claim 12. In addition, Knight discloses: wherein each of said asset types has a corresponding

asset-type specific analyzer (col. 22, lines 30-65, Knight).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of

claim 11. In addition, Knight discloses: wherein said asset-type specific analyzer extracts

predefined semantic information specific to the asset type to which it corresponds (col. 10, lines

40-54, Knight).

3. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   **Claims 4-6 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Knight et al. (U.S 6493703) (Knight) in view of Bowman-Amuah (U.S 6256773)
(Bowman).**

Regarding claims 4 and 15, all the limitations of these claims have been noted in the
rejection of claims 3 and 11, respectively. However, Knight didn't disclose: wherein said stored
assets comprise code assets and wherein said asset-specific parameters comprise languages in
which each code asset is written. On the other hand, Bowman disclose: wherein said stored
assets comprise code assets and wherein said asset-specific parameters comprise languages in
which each code asset is written (see col. 9, lines 41 to col., 10, line 15, Knight); (see col. 3 lines
50 to col. 4, lines 8, line 15, Bowman). Thus, at the time invention was made, it would have
been obvious to a person of ordinary skill in the art to include the step wherein said stored assets
comprise code assets and wherein said asset-specific parameters comprise languages in which
each code asset is written in the system of Knight as taught Bowman. The motivation being to
enable the user to apply more than one program languages in the storage/indexing/retrieval
system to perform mining data in complexity data assets so the searching data assets more
quickly.

Regarding claims 5 and 16, all the limitations of these claims have been noted in the
rejection of claims 4 and 15, respectively. In addition, Knight/Bowman discloses: wherein said
analysis step is performed using language-specific analyzers corresponding to the languages of
said code assets (see col. 3, lines 62 to col. 4, line 8, Bowman).

Regarding claims 6 and 17, all the limitations of these claims have been noted in the rejection of claims 5 and 16, respectively. In addition, Knight discloses: wherein said language-specific analyzers analyze said stored assets based on predetermined parameters specific to the language to which they correspond (see col. 8, lines 60 to col. 9, line 6, Bowman).

5.   *Response to Applicant's Arguments (filed 08/27/03)*

Applicant's arguments have been considered, but are moot in view of the new ground(s) of rejection.

6.   *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McCasland, US 5856931, Method and system for identifying organizing, scheduling, executing, analyzing and documenting detailed inspection activities for specific items in either a time based or on demand fashion.

Kraay et al. U.S 5956717, Database Origami

Agrawal el al. US 6233575, Multilevel taxonomy based on features derived from training documents classification using fisher values as discrimination values.

Gershman et al. US. 6401085, Mobile communication and computing system and method.

Eder (U.S 6321205). Method of and system for modeling and analyzing business improvement programs.

7. *Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Cindy Nguyen
November 5, 2003

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SUPERVISORY PATENT EXAMINER
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